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## NOTICE OF ALLOWANCE AND FEE(S) DUE

832 7590 04/02/2008

BAKER & DANIELS LLP  
111 E. WAYNE STREET  
SUITE 800  
FORT WAYNE, IN 46802

EXAMINER

DUONG, THOMAS

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 04/02/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,405

11/24/2003

Thorsten Gill

RBL0106

4109

TITLE OF INVENTION: METHOD AND SYSTEM FOR PROVIDING EASY ACCESS TO AN E-MAIL ACCOUNT VIA A MOBILE COMMUNICATION NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	07/02/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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832 7590 04/02/2008

**BAKER & DANIELS LLP**  
111 E. WAYNE STREET  
SUITE 800  
FORT WAYNE, IN 46802

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,405 11/24/2003 Thorsten Gill RBL0106 4109

**TITLE OF INVENTION: METHOD AND SYSTEM FOR PROVIDING EASY ACCESS TO AN E-MAIL ACCOUNT VIA A MOBILE COMMUNICATION NETWORK**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1440 \$300 \$0 \$1740 07/02/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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DUONG, THOMAS 2145 709-206000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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10/720,405	11/24/2003	Thorsten Gill	RBL0106	4109
832	7590	04/02/2008	EXAMINER	
BAKER & DANIELS LLP 111 E. WAYNE STREET SUITE 800 FORT WAYNE, IN 46802			DUONG, THOMAS	
			ART UNIT	PAPER NUMBER
			2145	
DATE MAILED: 04/02/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 806 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 806 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

10/720,405

Applicant(s)

GILL ET AL.

Examiner

Art Unit

THOMAS DUONG

2145

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 18, 2008.
2. ☒ The allowed claim(s) is/are 2-5, 9-10, 13, 15-17, and 20-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with John P. Hoffman (Reg. No. 26,280) on March 26, 2008.
3. The application has been amended as follows:  
  
Please cancel *claims 18-19*.  
  
18. (Canceled)  
19. (Canceled)

### ***Response to Arguments***

4. The Applicants' arguments and amendments filed on January 7, 2008 have been fully considered and are persuasive.

### ***Allowable Subject Matter***

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5. Claims 2-5, 9-10, 13, 15-17, and 20-21 are allowed. The claims indicated include limitations that the prior arts of record do not appear to teach or render obvious, hence they are allowed.

6. The following is an examiner's statement of reasons for allowance:

As presented in the previous Office Action, Koskelainen (US006885861B2) discloses, *"However, in some circumstances, such as the SIP event notification scheme described above, certain information generated by the mobile terminal (e.g., To, From and Call-ID header information and Event name from SUBSCRIBE messages) must be maintained in the user terminal rather than in the server(s) providing the subscription service or some other network element. If this information is not available to a user terminal, then the user terminal cannot filter incoming NOTIFY messages and prevent against spamming, etc. In addition to knowledge about ongoing communication services, there may also be other information, such as numerous parameters and/or settings, needed by the user terminal to receive those communication services. The parameters and/or settings may include for instance communication networks parameters, such as General Packet Radio Service (GPRS) parameters or Universal Mobile Telecommunication System (UMTS) parameters, Wireless Application Protocol (WAP) parameters comprising a WAP Gateway address a Uniform Resource Locator (URL) for setup, a home page and favorites, World Wide Web (WWW) parameters comprising a Hyper Text Transfer Protocol (HTTP) proxy address, SMTP/POP3 addresses, public keys, Ipv4, Ipv6, and a Default Classmark for multi-classmark devices. There may also be general information, such as network subscription and authorization information or calling plan information or lists of telephone numbers, stored in the user terminal and*

*which is desired to be available to the user to enable or facilitate communications"* (Koskelainen, col.2, line 59 – col.3, line 19). Hence, Koskelainen teaches the mobile terminal (i.e., Applicants' mobile terminal) containing (i.e., Applicants' having) parameters and/or settings (i.e., Applicants' generic e-mail configuration) including communication networks parameters such as SMTP/POP3 addresses (i.e., Applicants' POP3/SMTP address). Koskelainen discloses, *"The Serving Call Session Control Function (S-CSCF) 101 provides call control, session control and service control for mobile terminals. When a mobile terminal is visiting a network other than its home network, the visited network preferably utilizes a Proxy Call Session Control Function (P-CSCF) that enables the session control to be passed to the home network based S-CSCF providing service control for the mobile terminal"* (Koskelainen, col.1, line 61 – col.2, line 1). Hence, Koskelainen teaches the mobile terminal (i.e., Applicants' mobile terminal) enabling (i.e., Applicants' setting up) session control (i.e., Applicants' connection) utilizing a Proxy Call Session Control Function directed to the proxy server (i.e., Applicants' proxy server) of the home network providing service control for the mobile terminal.

Also presented in the previous Office Action, Plank et al. (US005978566) discloses, *"One factor complicating this scheme is that a single end-user may log in to a server through two or more different clients, either concurrently or, more commonly, at different times. For example, a single end-user may log in to the server from the office using a workstation (first client) and/or from home using a laptop computer (second client). Each separate client login provides independent access to the end-user's mailbox"* (Plank, col.7, lines 10-17). Hence, Plank teaches of the end-user (i.e., Applicants' user) accessing the end-user's mailbox (i.e., Applicants' e-mail account) based on the end-

user's log in credentials. Plank discloses, *"The characteristics of each separate client login will be determined by the particular MAPI (messaging application program interface) profile under which the end-user is operating. A MAPI profile defines the e-mail environment under which a particular client operates. To account for varying client configurations, an end-user employing a laptop-client to log in to an e-mail server likely will use a different MAPI profile, and thus a different environment, than when that same end-user uses a workstation-client to log in to the server. For example, the workstation-client is likely to have a permanent connection to any network whereas a laptop-client, being portable in nature, most likely will not be connected to any network except when the end-user plugs the laptop into a communications medium (e.g., telephone line). Accordingly, the laptop-client's profile should take that fact into consideration, for example, by allowing the transmission of messages from the laptop-client only when it is connected to a communications medium"* (Plank, col.7, lines 18-35). Hence, Plank teaches of the end-user (i.e., Applicants' user) accessing the end-user's mailbox (i.e., Applicants' e-mail account) based on the end-user's log in credentials and MAPI profile (i.e., Applicants' access parameters).

However, the prior arts of record fail to teach or suggest individually or in combination as stated in the independent claims for *"providing a mobile terminal having loaded therein a generic pre-configured default e-mail configuration common to all mobile terminals used with a specific mobile communication network, the pre-configured default e-mail configuration including at least one default POP3/SMTP server address;" "wherein on the first access request of a user identification unknown to the proxy server, the proxy server automatically creates a new e-mail account for said user identification, and wherein the step of identifying a POP3/SMTP e-mail account comprises the steps of:*



*interrogating the second data base whether there is already a registered e-mail account for the presented user identification, and if there is no e-mail account for the presented user identification, creating a new e-mail account in the e-mail system, and storing the user specific parameters for the e-mail account together with the corresponding user identification in the second database” and in combination with other limitations as set forth in the independent claims, as well as Applicants’ arguments presented on pages 7-9 of the Amendment filed on January 7, 2008. In the fore mentioned amendment, the Applicants argued, “The prior art fails to disclose the claimed method and system. Koskelainen discloses that in addition to knowledge about on-going communication services there also may be other information such as various parameters and/or settings needed by the user terminal to receive those communication services. The parameters and/or settings may include specific (that is, other than default) communication network parameters. Thus, Koskelainen teaches that the mobile terminal contains parameters and/or settings including communication network parameters such as SMTP/POP3 addresses, but fails to teach a generic default e-mail configuration which is common to all subscribers or common to all mobile terminals of the same type. Having the generic default e-mail configuration common to all subscribers installed in the mobile terminals is what enables the mobile terminals to set up an e-mail account automatically without having to undertake specific configuration programming. The proxy server accomplishes this automatically by accessing the two databases to correlate the user identification with the user making the e-mail server access and further retrieving from the second database the user name and password for the e-mail account assigned to the MSISDN. Although Koskelainen discloses the use of a proxy server in a foreign network, Koskelainen does not teach the step of connection to a proxy server using the*

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*generic default e-mail configuration common to all mobile terminals. Koskelainen discloses that a user terminal must provide some identification to a network in order to gain access and receive communication services. However, Koskelainen does not disclose evaluating a user identification for identifying the user with an e-mail system and then setting up the connection between the user and the e-mail account in the manner set forth in Claims 20 and 21” (pg.7-8).*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

*Thomas Duong (AU2145)*

*April 2, 2008*

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2145